

ASSEMBLY BILL

No. 1452

Introduced by Assembly Member Hill

January 5, 2012

An act to amend Section 27363.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1452, as introduced, Hill. Vehicles: child passenger restraints.

(1) Existing law requires a public or private hospital, clinic, or birthing center, at the time of discharge of a child, to provide and discuss information on the current law requiring child passenger restraint systems, safety belts, and the transportation of children in rear seats to the parents or the person to whom the child is released if the child is under 8 years of age, but specifies that a public or private hospital, clinic, or birthing center shall not be responsible for the failure of the parent or person to whom the child is released to properly transport the child.

This bill would require a public or private hospital, clinic, or birthing center, at the time a child under 8 years of age is discharged, to also provide and discuss contact information relating to obtaining, at no cost or low cost, information and assistance relating to child passenger restraint system requirements, installation, and inspection, including, among other things, the telephone number of the local office of the Department of the California Highway Patrol. Because this bill would expand the definition of an existing crime, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the following:

2 (a) Motor vehicle crashes are the leading cause of death of
3 children three to 14 years of age inclusive.

4 (b) Many of these deaths can be prevented through the proper
5 use of child safety seats.

6 (c) According to the National Highway Traffic Safety
7 Administration (NHTSA), child safety seats can reduce fatal injury
8 by 71 percent for infants and by 54 percent for toddlers one to four
9 years of age.

10 (d) Unfortunately, according to a recent study, over 90 percent
11 of parents and caregivers believe their child safety seats are
12 installed correctly, but NHTSA research shows that seven out of
13 10 children are improperly restrained, putting them at risk for
14 serious injury or death in a crash.

15 SEC. 2. Section 27363.5 of the Vehicle Code is amended to
16 read:

17 27363.5. (a) A public or private hospital, clinic, or birthing
18 center, shall, at the time of the discharge of a child, provide *to* and
19 discuss *with the parents or the person to whom the child is*
20 *released, if the child is under eight years of age*, information on
21 the current law requiring child passenger restraint systems, safety
22 belts, and the transportation of children in rear seats ~~to the parents~~
23 ~~or the person to whom the child is released if the child is under~~
24 ~~eight years of age.~~

25 (b) *A public or private hospital, clinic, or birthing center shall*
26 *also provide to and discuss with the parent or person to whom the*
27 *child is released, if the child is under eight years of age, contact*
28 *information to direct the person to an Internet Web site or other*
29 *contact that could provide, at no cost or low cost, information and*
30 *assistance relating to child passenger restraint system*

1 *requirements, installation, and inspection. Pursuant to this*
2 *subdivision, the hospital, clinic, or birthing center does not have*
3 *any additional obligation to provide patients with any assistance*
4 *relating to child passenger restraint systems, other than providing*
5 *the contact information as set forth in this subdivision. This contact*
6 *information may include the following:*

7 *(1) Call 1-866-SEAT-CHECK or visit www.seatcheck.org to*
8 *find a nearby location.*

9 *(2) The telephone number of the local office of the Department*
10 *of the California Highway Patrol.*

11 *(3) The Internet Web site for the National Highway Traffic*
12 *Safety Administration's Child Safety Seat Inspection Station*
13 *Locator.*

14 *(4) The Internet Web site for the State Department of Public*
15 *Health's child passenger restraint system safety inspection locator.*

16 ~~(b)~~

17 *(c) A public or private hospital, clinic, or birthing center shall*
18 *not be responsible for the failure of the parent or person to whom*
19 *the child is released to properly transport the child.*

20 SEC. 3. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.